

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**THE MAIDS INTERNATIONAL, INC ., a
Nebraska corporation;**

Plaintiff,

vs.

**MAIDS ON CALL, LLC, a Connecticut
limited liability company; MAIDS ON
CALL II, LLC, a Massachusetts limited
liability company; TIMOTHY SCUSSEL,
an individual; MARYANNE SCUSSEL,
an individual; SARA ROCK, an
individual; STACEY SCUSSEL, an
individual; and S.A.G. MANAGEMENT,
INC.,**

Defendants.

8:17CV208

ORDER AND JUDGMENT

This matter is before the Court on the Plaintiff's Motion for Entry of Judgment by Consent and Award of Attorney's Fees and Costs, ECF No. 57. Plaintiff seeks entry of judgment against Defendants, jointly and severally, in the amount of \$59,500.00, exclusive of interest, due to Defendants' failure to make the required payments under the terms of the Settlement Agreement between the parties. Plaintiff also moves the Court for an award of attorney's fees and costs in the amount of \$2,060.00 in accordance with the terms of the Settlement Agreement and Confession of Judgment executed by Defendants.

On November 20, 2018, and in accordance with the parties' settlement agreement, Defendants Maids On Call, LLC, Maids On Call II, LLC, Timothy Scussel, Maryann Scussel, Sara Rock, Stacey Garon and S.A.G. Management, Inc. entered into

a Confession of Judgment and Warrant of Attorney (the "Confession of Judgment"). ECF No. 58-1. Under the Consent of Judgment, Defendants agreed to pay Plaintiff \$69,500.00 in installments. Defendants made an initial payment of \$10,000.00, but failed to make additional payments as agreed in the parties' settlement agreement. Plaintiff made demand on Defendants on December 15, 2017, and January 15, 2017. ECF Nos. 58-3, 58-4. Defendants have not responded to Plaintiff's demand and have failed to make any additional settlement payments to Plaintiff. Accordingly, under the express terms of the Consent of Judgment, Plaintiff is entitled to immediate enforcement of the Confession of Judgment and to obtain a judgment against Defendants, jointly and severally, in the amount of \$59,500.00, plus interest, attorney's fees and costs.

Pursuant to paragraph 10 of the Settlement Agreement, ECF No. 58-2, Defendants agreed to pay all attorney's fees and costs incurred related to enforcement of the Settlement Agreement and Confession of Judgment. Under paragraphs 2, 3 and 5 of the Confession of Judgment, Defendants also agreed to pay attorney's fees and costs related to Plaintiff's filing of the Confession of Judgment and incident to collection of the judgment entered against Defendants. Plaintiff has incurred \$2,060.00 in attorney's fees and costs relating to its enforcement of the Settlement Agreement and filing of the Confession of Judgment. ECF No. 58-5. The Court has reviewed the request for attorney's fees and costs and concludes that it is reasonable under the terms of the Settlement Agreement.

Accordingly,

IT IS ORDERED:

1. Plaintiff's Motion for Entry of Judgment by Consent and Award of Attorney's Fees and Costs, ECF No. 57, is granted;
2. Judgment is entered against Defendants, jointly and severally, in the amount of \$59,500.00; and
3. Plaintiff is awarded \$2,060.00 in attorney's fees and costs in accordance with the terms of the Settlement Agreement and Confession of Judgment.

Dated this 23rd day of March, 2018.

BY THE COURT:

s/Laurie Smith Camp
Chief United States District Judge